PART IV

Section 1-C

GENERAL STATUTORY RULES AND STATUTORY ORDERS ISSUED BY THE CENTRAL GOVERNMENT AND ORDERS MADE BY THE PRESIDENT AND REPUBLISHED BY THE STATE GOVERNMENT

NOTIFICATION.

(LAW DEPARTMENT.)

No. LAW 182 LCR 65, Bangalore, dated the 15th September 1965.

Ordered that the accompanying Notification No. G.S.R. 921, dated 3rd July 1965 of the Department of Economic Affairs regarding the Banking Companies (Amendment) Rules, 1965, whihch as been published in the *Gazette of India*, Part II, Section 3, sub-section (i), dated the 3rd July 1965, be republished in the *Mysore Gazette*, for general information.

By Order and in the name of the Governor of Mysore,

B. RAMACHANDRA RAO,

156 *Under Secy. to Govt., L. D.*

GOVERNMENT OF INDIA

DEPARTMENT OF ECONOMIC AFFAIRS

New Delhi, the 3rd July 1965.

G.S.R. 921.—In exercise of the powers conferred by sub-sections (1) and (2) of section 52 of the Banking Companies Act, 1949 (10 of 1949) the Central Government after consultation with the Reserve Bank of

India hereby makes the following rules further to amend the Banking Companies Rules, 1949, the same having been previously published as required by sub-section (3) of the said section, namely :—

1. These rules may be called the Banking Companies (Amendment) Rules, 1965.

2. In the Banking Companies Rules 1949—

(*i*) in sub-rule (*e*) of rule 2, for the words "cheques cashed or moneys lent;" the words "cheques-cashed, moneys lent or any other form of business referred to in sub-section (1) of section 6 of the Act is transacted" shall be substituted ,

(*ii*) in rule 2A, for the figures "XIV" the figures "XIII" shall be substituted ;

(*iii*) in rule 13, for the words and figures "list in Form IX of all its offices in India at which it was doing business during that quarter", the words and figures "list relating to its offices in India in Form IX" shall be substituted ;

(*iv*) in rule 15A, for the word and figures "Form XIV" the word and figures "Form XIII" shall be substituted ;

(*v*) for the existing Form IV, the following Form shall be substituted, namely :—

THE BANKING COMPANIES ACT, 1949

FORM IV

(Section 20)

Name of the Banking Company..... .....

Name and designation of the officer submitting the return.....

Statement for the month of.....of unsecured loans and advances (including bills purchased and discounted) granted (in India) to Companies in cases (other than those in which the banking company is prohibited under sub-section (1) of section 20 of the Banking Companies Act, 1949 to make unsecured loans and advances) in which any of its directors is interested as director or managing agent or guarantor*. (To be submitted to the Reserve Bank before the close of the month succeeding that to which the return relates).

Name of the director of the banking company who is interested	Name of the company to which the advance has been made	Relation of the director of the banking company to the company (whether director, managing agent, guarantor, etc.)	Limit sanctioned	Date of advance	Purpose of advance	Date of repayment	Amount outstanding on the last working day of the month	Highest outstanding during the month	Lowest outstanding during the month	Rate of interest	Nature of advance (whether loan, overdraft, cash credit, purchase or discount of bills etc.)	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13
TOTAL of col. 6												

Date.....

Signature.....

*The statement should show all the loans and advances (including bills purchased and discounted) outstanding on the last working day of the month and also those granted during the month or previously and repaid during the month.

NOTE :—In case a banking company has no loans or advances to report, the fact may be reported in a letter.

(vi) in Form V, in footnote 1, for the word "Nagpur", the word "Hyderabad" shall be substituted ;

(vii) in Form VI, in the footnote relating to item 8, for the words "cheques cashed or money lent", the words "cheques cashed, moneys lent or any other form of business referred to in sub-section (1) of section 6 of the Act is transacted." shall be substituted;

(viii) in Form VII,—

(*a*) in the footnote relating to item 8, for the words "cheques cashed or moneys lent", the words "cheques cashed, moneys lent or any other form of business referred to in sub-section (1) of section 6 of the Act is transacted.", shall be substituted

(*b*) in footnote (1), for the word "Nagpur", the word "Hyderabad" shall be substituted ;

(ix) in Form VIII,—

(*a*) in footnote 1, for the words "cheques cashed or moneys lent" the words "cheques cashed, moneys lent or any other form of business referred to in sub-section (1) of section 6 of the Act is transacted." shall be substituted ;

(*b*) in footnote 2, for the word "Nagpur", the word "Hyderabad" shall be substituted;

(x) for the existing Form IX, the following Form shall be substituted, namely :—

THE BANKING COMPANIES ACT, 1949

FORM IX

(*See* Rule 13)

(Section 23)

(To be submitted within one month after the end of the quarter to which it relates).

Name of the banking company.....

Name and designation of the officer submitting the return.....

.....

(*a*) @ Statement of offices* in India as on the last day of the quarter ended.....

Name of place where the banking company has no.....
offics (may be grouped Statewise and arranged.....
Districtwise and in alphabetical order) .....

(*b*) Statement of offices * opened in India during the quarter ended.....

Name of the place	District and State	Date of opening the office
1	2	3

(*c*) Statement of offices*in India closed during the quarter ended .....

Name of the place	District and State	Date of closing the office
1	2	3

Date..... Signature.....

@Information under this head may be furnished only in the return as on the last day of the quarter ended December.

*Includes the registered office and all places of business at which deposits are received cheques cashed, moneys lent or any other form of business referred to in sub-section (1) of section 6 of the Act is transacted.

(xi) Form XI shall be omitted.

(xii) for the existing Forms XII and XIII, the following Forms

THE BANKING

FORM

(Section

Name of the Banking Company.....

Name and designation of the officer submitting the return.....

Return of unclaimed deposit accounts in India which have not been

As on the 31st December

(To be submitted to the Reserve Bank within thirty

Particulars	Current Accounts	
	No. of A/cs.	Balance outstanding Rs. P.
Balance brought forward from the previous return as on 31-12-19.....		
Accounts, if any, inadvertently omitted in the previous returns.....		
Additions during 19.....*		
TOTAL		
**Accounts which have become operative or were closed during 19		
TOTAL balance as at 31-12-19		

Date.....

*This item is intended to denote actual balances in accounts which tive for ten years. If any of the accounts, which should have been omitted from those returns, they should be shown under the separate returns" immediately below "Balance brought forward from the pre should be given under all columns of the statement.

**This item is intended to denote the outstanding balances in such tive on account of further deposits withdrawals or were closed during of interest credited and deductions therefrom on account of incidental thus reported and that shown in the previous return should be suitably

shall be substituted namely :—

COMPANIES ACT 1949.

XI

26)

.....

.....

operated upon for 10 years or more as on the date of the return.

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days after the close of each calendar year)

Savings Bank Accounts		Fixed Deposits		Other Deposits		Total	
No. of A/cs.	Balance outstanding Rs. P.	No. of A/cs.	Balance outstanding Rs. P.	No. of A/cs.	Balance outstanding Rs. P.	No. of A/cs.	Balance outstanding Rs. P.

THE BANKING COMPANIES ACT, 1949

FORM XII

(Sections 25 and 27)

Name of the banking company.....

Name and designation of the officer submitting the return..... .....

....

Statement showing the assets and liabilities in India as at the close of business on the last Friday,* the..... .....(To be submitted to the Reserve Bank before the close of the month succeeding that to which the return relates. Data under Parts I and II may be furnished as at the close of business on the last Friday* of every month and under Part III as at the close of business on the last Friday* of March, June, September and December.

PART I (Section 27)

(Rounded off to the nearest thousand)

A. Liabilities in India	B. Assets in India.
1	2
1 Paid-up Capital** (excluding forfeited shares) Forfeited shares	1. Cash in hand
	2. Balances with the Reserve Bank in current account
Reserve Fund, etc.	3. Balances with the State Bank of India in current account.
(*a*) Reserve Fund and other reserves (*b*) Share premium account.	
4. Demand liabilities (*a*) Current deposits (*i*) from banks (*ii*) from others	4. (*a*) Balances with the agents of the Reserve Bank (other than the State Bank of India) in current account
	(*b*) Balances with other banks (other than co-operative banks) in current account
(*b*) Savings deposits (demand liability portion only)	
(*c*) Borrowings from Banks (*i*) from Reserve Bank of India, State Bank of India and notified banks*** ... (*ii*) from other banks ...	5. Money at call and short notice 6. Investments

1	2
(*d*) Other demand liabilities. ...	A. In securities of :
5. Time liabilities : ...	(*a*) Central Government.
(*a*) Fixed Deposits	(*i*) Treasury Bills
(*i*) from banks	(*ii*) Other Government securities including Treasury Deposit Receipts, Treasury Savings Deposit Certificates and postal obligations
(*ii*) from others	
(*b*) Savings deposits (time liability portion only).	(*b*) State Governments ,
	(*i*) Treasury Bills
	(*ii*) Others
	B. Other investments :
	(*a*) Securities of local authorities, (*e.g.*, Municipalities, Port Trusts, *etc.*).
(c) Borrowings from banks ·	(*b*) Shares :
(*i*) from Reserve Bank of India, State Bank of India and notified banks*** ...	(*i*) Of Corporations incorporated by any law for the time being in force in India and of Government Companies as defined in section 617 of the Companies Act, 1956
(*ii*) from other banks ...	(*ii*) Of other Corporations or Companies (*e.g.*, Companies registered under the Companies Act, Co-operative Societies, etc.)
(*d*) Cash certificates, recurring deposits, etc. ...	
(*e*) Other time liabilities ...	
6. Branch adjustments	
(*a*) Offices in India ...	
(*b*) Offices outside India ...	(*c*) Debentures.
7. Total demand and time liabilities (items A4, A5 and A6) ...	(*i*) Of Corporations incorporated by any law for the time being in force in India and of Government Companies as defined in section 617 of the Companies Act, 1956.
8. Balance of profit	(*ii*) Of other Corporations and Companies (*e.g.* Companies registered under the Companies Act, Co-operative Societies, etc.) ...

1	2
8. Balance of profit—*concld.*	(d) Others 7. Inland bills purchased and discounted ... (*a*) Bills purchased ... (*b*) Bills discounted ... 8. Foreign bills purchased and discounted ... (*a*) Export Bills drawn in India (in approved currencies) ... (*i*) from Banks ... (*ii*) from others ... (*b*) Import bills drawn on and payable in India (in approved currencies) ... (*i*) from banks ... (*ii*) from otbe s ... (*c*) Other foreign bills purchased and discounted ... (*i*) from banks ... (*ii*) from others ... 9. (*a*) Loans, advances, cash credits and overdrafts [excluding due from banks *vide* 9 (*b*) below.] ... (*b*) Due from banks ... 10. Premises, furniture, fixtures and other fixed assets ... 11. Branch adjustments† ... 12. Capitalised expenses, including preliminary expenses, organisation expenses, share selling commission, brokerage amounts of losses incurred and any other item of expenditure not represented by tangible assets.†† ... 13. Other tangible assets
TOTAL	TOTAL .....

PART II

Break-up of Liabilities (*Vide*) item A-7).

1. Deposits (all accounts by whatever name called including credit balances in cash credit accounts).

   (*a*) of foreign Central and State Governments ... Rs.....
   (*b*) of banks :
      (*i*) of banking companies ‡, State Bank of India and notified institutions (*) ... Rs.....
      (*ii*) of other banks such as co-operative banks ... Rs.....Rs.....
   (*c*) of others ... Rs..... Rs.....
2. Borrowings from banks : Rs.....

   [Of (2) above, borrowings by way of money at call and short notice received from co-operative banks Rs.....]

3. Other liabilities (*not* in the nature of deposits) ... Rs.....

TOTAL LIABILITIES... Rs.....

Total advances (Total of items B.7, B.8 and B.9 of the Assets side of Part I above)		Percentage of Clean Advances to Total Advances (Percentage of columns (1) to (3)]	Total Deposits (Total of items A.4 (a), A.4 (b), A.5(a) A.5(b)and A.5(d) of the liabilities side of Part I above).	Percentage of Total advances to Total deposits [Percentage of columns (3) to (5)].
Clean (1)	Others (2	Total (3)	(4)	(5) (6)

PART III

(Section 25)

	(Rounded off to the nearest thousand)
1. Demand and time liabilities in India (Total of items A 4. and A 5. in Part I)	
2. Minimum amount of assets required to be held in India under section 25 of the Act (75 per cent of item I above)	
3. Assets in India :	
(i) Total of items B. 1 to B. 10 [excluding other foreign bills, if any, shown under item B. 8 (c)] and B. 13 in Part I	
(ii) Securities approved by the Reserve Bank under section 25 (3) (a) of the Act and not included in item (i) above. . .	

Date..... Signature..... .....

*If the concerned Friday is a public holiday under the Negotiable Instruments Act, 1881 (26 of 1881), at the close of business on the preceding working day.

**In the case of Banking companies incorporated outside India the amount of deposit kept with the Reserve Bank under sub-section (2) of section 11 of the Act should be shown under this head but excluded from the total.

***'notified bank' means any banking institution notified by the Central Government under clause (c) of the Explanation to sub-section (1) of section 42 of the Reserve Bank of India Act, 1934 (2 of 1934).

††If the balance in the profit and loss account represents loss, it should be included in this item.

†The net balance of branch adjustments should be shown as liabilities or assets under item A. 6 or B. 11, as the case may be.

‡'banking company' has the same meaning as assigned to it under the Banking Companies Act, 1949 (10 of 1949).

(*)'notified institution' means any banking institution notified by the Central Government under section 51 of the Banking Companies Act, 1949 (10 of 1949).

(*xiii*) Form XIV shall be re-numbered as Form XIII.

(*xiv*) In Form III the words' the Refinance Corporation forIndustry Ltd.' occurring in items A-1 and A-2 shall be deleted.

(*xv*) In Form X the words 'the Refinance Corporation for Industry Ltd., occurring in items A-1 and A-2 shall be deleted.

R. N. P. SINHA,
Under Secy.